

State of South Dakota

EIGHTIETH LEGISLATIVE ASSEMBLY, 2005

400L0317

HOUSE BILL NO. 1048

Introduced by: The Committee on Judiciary at the request of the Department of Game, Fish
and Parks

1 FOR AN ACT ENTITLED, An Act to modify certain bonding provisions for nonresident
2 violators of game, fish and park laws.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 41-15-11 be amended to read as follows:

5 41-15-11. If any resident is arrested for a violation of any provision of this title, punishable
6 as a misdemeanor, the arresting officer shall take the name and address of the person and
7 information relative to the violation and issue the person a summons in writing to appear in
8 court. The officer shall release the person from custody upon receiving from the person a written
9 promise to appear at the time and place designated by the officer. A nonresident arrested for a
10 violation of ~~chapter 41-9, fishing, hunting, or trapping on private land, shall be required to post~~
11 ~~bond in the amount set forth on the fine and bond schedule provided by the presiding circuit~~
12 ~~court judge, or in an amount set by a magistrate or judge for that offense, before being released~~
13 ~~from custody. A nonresident arrested for any other violation of the provisions of this title, except~~
14 ~~chapter 41-9, may be required to post bond in the amount outlined above before being released~~
15 ~~from custody~~ any provision of this title may be required to post bond in the amount set forth on



1 the fine and bond schedule provided by the presiding circuit court judge, or in an amount set by
2 a magistrate or judge for that offense, before being released from custody. Any person who
3 intentionally violates the written promise to appear, given in accordance with the provisions of
4 this section, is guilty of a Class 2 misdemeanor.